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8 **BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON**

9  
10 RE: Sunset's Edge Townhomes

11 Preliminary Plat and Preliminary  
12 Planned Urban Development

13 LUA16-000864, PP, PPUD

)  
)  
) **FINAL DECISION**  
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14  
15 **SUMMARY**

16 The applicant proposes a preliminary plat and preliminary planned urban development ("PUD") for the  
17 construction of fifteen townhomes in four buildings on a 0.9-acre parcel located at 701-707 Sunset Blvd  
18 NE. The applicant seeks PUD approval to vary development standards including lot size, building  
setbacks, impervious surface area, building coverage, street standards, parking requirements, and refuse  
and recycling. The PUD and preliminary plat are approved subject to conditions.

19  
20 **TESTIMONY**

21 *Note: The following is a summary of testimony provided for the convenience of the reader only and*  
22 *should not be construed as containing any findings of fact or conclusions of law. The focus upon or*  
23 *exclusion of any testimony or hearing evidence in this summary is not reflective of the priority or*  
*probative content of any particular hearing evidence and no assurance is made as to accuracy.*

24 Clark Close, City of Renton Senior Planner, summarized the Staff Report. Mr. Close addressed each of  
25 the points raised in the Applicant response letter, regarding Conditions 2, 17 and 18. Regarding  
26 Condition No. 2, Staff agrees that the proposal qualifies for an increase in height of ten feet due to an  
8.5 foot elevation change for the two westerly buildings of the proposal. Staff also agrees with the  
alternate private open space arrangements proposed for Condition No. 17 and the alternatives to

1 modulation requested by the applicant for Condition No. 18.

2 Arnold Altuna, neighbor, asked how height is measured. Mr. Close explained height is measured from  
3 the average ground elevation measured from the four corners of the building footprint. The buildings  
4 will appear to be two story structures from Sunset Boulevard. Mr. Close clarified that the elevation  
drawings are preliminary and recommended conditions of approval will dictate final design.

## 5 **EXHIBITS**

6 The April 11, 2017 Staff Report in addition to Exhibits 1-24 identified on page 2 of the Staff Report  
7 were admitted into the record at the April 11, 2017 hearing. The Staff PowerPoint presentation was  
8 admitted as Ex. 25. City of Renton COR maps were admitted as Exhibit 26. Google maps for the project  
vicinity were admitted as Ex. 27. The Applicant response to the Staff Report, dated April 7, 2017, was  
admitted as Ex. 28.

## 10 **FINDINGS OF FACT**

### 11 **Procedural:**

- 12 1. Applicant. Jacob Young, Citizen Design Collaborative, 46 Etruria Street, Suite 201, Seattle,  
13 WA 98109.
- 14 2. Hearing. A hearing on the application was held on April 11, 2017 at 11:00 am in the Renton  
15 City Council meeting chambers.

### 16 **Substantive:**

- 17 3. Project Description. The applicant proposes a preliminary plat and preliminary planned urban  
18 development ("PUD") for the construction of fifteen townhomes in four buildings on a 0.9-acre parcel  
19 located at 701-707 Sunset Blvd NE. The applicant seeks PUD approval to vary development standards  
including lot size, building setbacks, impervious surface area, building coverage, street standards,  
20 parking requirements, and refuse and recycling.

Requested PUD modifications are summarized as follows:

RMC Code Citation	Required Standard	Requested Modification
RMC 4-2-110A Development Standards for Residential Zoning Designations – Minimum Lot Width	The minimum lot width of 25-feet for internal lots and 30-feet for corner lots is required for townhouse development in the RMF zone.	14 of the proposed lots contain widths of 16 feet and 20 feet.
RMC 4-2-110A Development Standards for Residential Zoning Designations – Minimum Lot Depth	The minimum lot depth of 50-feet is required for townhouse development in the RMF zone	Lot depths range from 24 feet to 48 feet.
RMC 4-2-110A Development Standards for Residential Zoning Designation – Maximum Building Coverage	70 percent	Each individual lot would exceed maximum building coverage, while the site as a whole would contain approximately 31 percent building coverage.
RMC 4-2-110A Development Standards for Residential Zoning Designation – Maximum Impervious Surface Area	75 percent	Each individual lot would exceed maximum building coverage, while the site as a whole would contain approximately 57 percent impervious surface area.
RMC 4-2-110A Development Standards for Residential Zoning Designations – Minimum Yards (Setbacks)	10-foot minimum front, 10-foot minimum rear, and 5-foot minimum unattached side yard. 15-foot minimum side and rear yards for lots abutting single-family residential zones.	Individual lots do not contain the required minimum setbacks. Instead the development as a whole (except for small portion of the front and rear yard) meets the minimum front, rear and sideyard setbacks.
RMC 4-4-080F.8. Parking Stall Types, Sizes, and Percentage Allowed/Required	Standard parking stall size of 9'x20'. Compact parking stalls of 8.5'x16' not to exceed 30-percent of the total number of spaces.	All parking provided onsite proposed at compact stall dimension.

RMC 4-4-080F.10. Number of Parking Spaces Required	A minimum and maximum of 1.6 per 3 bedroom or larger dwelling unit.	Applicant proposes to provide two (2) spaces per dwelling unit and one (1) surface parking space.
RMC 4-4-090D. Refuse and Recycling: Multi-family Developments – Additional Requirements for Deposit and Collection Areas.	A minimum of one (1) centralized refuse and recyclables deposit area for every 30 dwelling units.	Individual collection area in each private garage.
RMC 4-6-060F.2 Minimum Design Standards for Public Streets and Alleys.	Public Limited Residential Access street with 45-foot ROW width and Residential alleys with 16-foot ROW width.	Internal street as private alley within tract. Private alley designed as woonerf or living street with shared vehicle and pedestrian space. Woonerf includes pavers, plaza area, and planters.
RMC 4-2-110A. Maximum building height	32 foot height maximum	42 foot height. Height also approved separately under RMC 4-2-110D, Note 20, which authorizes an extra ten feet to if excess open space and other amenities provided. Proposal qualifies for extra ten feet on its two westerly building both through PUD modifications and Note 20.

4. Adequacy of Infrastructure/Public Services. The project will be served by adequate infrastructure and public services as follows:

- A. Water and Sewer Service. Water and sanitary sewer service for the development would be provided by the City of Renton. The development is subject to applicable water system development charges and water meter installation fees based on the number and size of the meters for domestic, landscape and fire sprinkler uses.
- B. Fire Protection. Fire protection would be provided by the City of Renton Fire Authority. Fire Prevention staff indicated that sufficient resources exist to furnish services to the proposed development if the applicant provides Code required improvements and fees.

1 The preliminary fire flow requirements for this project is 3,750 gpm. A minimum of four  
2 (4) fire hydrants are required for the development. One (1) within 150-feet and three (3)  
3 300-feet of the proposed buildings. Existing hydrants can be counted toward the  
4 requirement if they meet current code, including but not limited to 5-inch Storz fittings.

5 A Fire Impact Fee, based on new multi-family units is required to mitigate the proposal's  
6 potential impacts to City emergency services. The applicant would be required to pay an  
7 appropriate Fire Impact Fee. The fee is payable to the City as specified by the Renton  
8 Municipal Code at the time of building permit application. The 2017 fee was assessed at  
\$718.56 per unit.

- 9 C. Drainage. In conjunction with the City's stormwater regulations, the proposal mitigates all  
10 significant drainage impacts. The development is subject to Full Drainage Review in  
11 accordance with the 2009 King County Surface Water Design Manual (KCSWDM) and the  
2010 City of Renton Amendments to the KCSWDM.

12 The existing property does not contain storm water facilities. A stormwater flow control  
13 facility is required for the site and the project proposes the use of detention tanks to meet  
14 this requirement. A water quality facility is required for the site and the project proposes the  
15 reduction from enhanced basic water quality to basic water quality requirement by providing  
16 a covenant to prevent the use of leachable materials. The project proposes to provide basic  
water quality by the use of a storm filter.

- 17 D. Parks/Open Space. The project provides for adequate parks and open space. For parks  
18 impacts, the applicant will be paying a park impact fee, which in 2017 is assessed at  
\$1,858.95 per dwelling.

19 The applicant proposes approximately 5,881 square feet of common open space located.  
20 The amount of open space exceeds the required 4,670 square feet the development would  
21 be required to provide per the PUD development standard. The applicant has provided a  
22 variety of recreation opportunities and open spaces throughout the development. The largest  
23 recreation space is located on the northwestern portion of the property. Active spaces  
24 include a play structure (dependent on future demographic of residents), picnic area, and  
25 walking path. Also provided are several lawn areas, a plaza between Buildings 3 and 4, and  
26 vegetated passive open space. Common open spaces are accessed via the development's  
private alley/woonerf, which also provides an area for residents to meet and gather. The  
modified alley is intended to be a shared space for vehicles and pedestrians.

1 E. Pedestrian Circulation. As proposed, the proposal provides for an appropriate pedestrian  
2 circulation system that is clearly delineated and connects buildings, open space, and parking  
3 areas with the sidewalk system and abutting properties. Permeable pedestrian pavement is  
4 provided along the edges of the alley, the plaza area between Building 3, Building 4, and  
the surface parking space.

5 As conditioned, landscaping is employed to enhance pedestrian facilities. Buildings 1 and  
6 2 incorporate planters and landscaping in front yards between the building and street.  
7 Additionally, planters are provided in the private alley/woonerf between garages. However,  
8 there is a lack of planting at entrances for Buildings 3 and 4. Planters near entrances and/or  
9 garages for these buildings would enhance the aesthetic for their entries and the private  
10 alley/woonerf as a whole. Therefore, a condition of approval requires the applicant to submit  
a revised landscape plan with the construction permit application that provides additional  
planters where adequate space is available along Buildings 3 and 4.

11 F. Street Improvements. The proposal is served by adequate and appropriate street  
12 infrastructure.

13 The development abuts Sunset Blvd NE, a Minor Arterial Street with an existing right of  
14 way (ROW) width of 60 feet with no curb, gutter, or sidewalk along the frontage. Access to  
15 the site would be provided a single curb cut extended from Sunset Blvd NE. The vehicular  
16 circulation design would utilize a private alley/woonerf that enters at the curb cut near the  
17 center of the subject property frontage and extends north and south between the four (4)  
18 proposed buildings. The alley dead-ends at or near the north and south perimeters. Structures  
19 are located at least 25 feet from the intersection with Sunset Blvd NE providing adequate  
site distance and clear vision area. The turning radius within the development contains a 45-  
foot outside and 25-foot inside radii with hammerhead turnaround for fire apparatus  
accessibility.

20 A residential project consisting of 15 dwelling units would generate less than 20 peak hour  
21 trips (as per the Institute of Traffic Engineers Trip Generation Manual), therefore no traffic  
22 impact study was required for the proposal. To mitigate transportation impacts the applicant  
will be required to pay transportation impact fees per City ordinance.

23 The proposed development would generate approximately 87 net new average weekday  
24 daily trips. During the weekday AM peak hour, the project would generate approximately 7  
25 net new trips (1 inbound and 6 outbound). During the weekday PM peak hour, the project  
26 would generate approximately 8 net new trips (5 inbound and 3 outbound). The proposed

1 project passes the City of Renton Traffic Concurrency Test per RMC 4-6-070.D (Exhibit  
2 24).

3 The applicant is requesting modification of the street standard requirements for the internal  
4 road via the PUD application. In-lieu of providing a 45-foot wide limited residential access  
5 street, the applicant is proposing a private alley/woonerf designed street section with  
6 varying widths of 26 to 32 ½ feet that would comingle pedestrian and vehicle space. A  
7 delineated pedestrian path extends along the driveway to Sunset Blvd NE to connect to the  
8 public sidewalk that would be constructed by the applicant. This PUD modification would  
9 provide a unique street for residents to gather and for recreation. The proposed street also  
10 preserves additional space on the property to incorporate common open space on the north  
11 and west portions of the site.

12 There are currently no frontage improvements along the public street frontage. The required  
13 street section for this portion of Sunset Blvd NE includes a 22-foot wide half street paved  
14 width from the centerline of the ROW (including 5-foot wide bike lane, 11-foot wide thru  
15 travel lane, and 6-foot wide half width for the center turn/left turn lane), 0.5-foot wide curb,  
16 8-foot wide landscaped planter, 8-foot wide sidewalk, and 1-foot wide clear width back of  
17 the sidewalk. The ROW width dedication required is approximately 9.5 feet (subject to final  
18 survey). A center two-way left turn lane is also required to be provided on Sunset Blvd NE  
19 frontage from the end of the existing left turn lane on Sunset Blvd NE frontage to the north  
20 property line of parcel 311990-0011.

21 G. Schools. It is anticipated that the Renton School District can accommodate any additional  
22 students generated by this proposal at the following schools: Kennydale Elementary,  
23 Dimmitt Middle School, and Renton High School.

24 RCW 58.17.110(2) provides that no subdivision be approved without making a written  
25 finding of adequate provision made for safe walking conditions for students who walk to  
26 and from school and/or bus stops. All students would bus to school. The bus stop for  
elementary, middle and high school is located at 821 Sunset Blvd NE. New frontage  
improvements along the subject property, dedicated shoulder along the northern property's  
frontage, and frontage improvements at the bus stop provide a safe walking route for  
students.

A school impact fee, based on new multi-family units, will be required in order to mitigate  
the proposal's potential impacts to Renton School District. The fee is payable to the City as

specified by the Renton Municipal Code at the time of building permit application. The 2017 fee is assessed at \$1,448.00 per multi-family unit.

5. Adverse Impacts. There are no significant adverse impacts associated with the proposal. Pertinent impacts are addressed individually as follows:

A. Critical Areas. The only critical area on-site is an Erosion Hazard and Landslide Area. The subject property has been identified as an Erosion Hazard and Landslide Area by City of Renton GIS, based on site slopes exceeding 15%. A protected slope exists along the western margin of the site. According to the geotechnical report and the results of the soil exploratory test pits, past fill activity spans much of the site, typically extending to 4 ½ feet below existing grade.

A protected slope is defined as a hillside, or portion thereof, with an average slope, as identified in the City of Renton Steep Slope Atlas or in a method approved by the City, of forty percent (40%) or greater grade and having a minimum vertical rise of fifteen feet (15'). The applicant's geotechnical engineer identified a 5,485-square foot area of the subject property as protected slopes. The applicant is proposing to encroach into approximately 2,025 square feet of the protected slope necessitating an alteration to the critical areas created as a result of the private gravel U-shaped road installation created over the past several decades. The applicant is proposing to remove the existing fill comprised of silty sand, logs, woody debris and general refuse up to 4 ½ feet below grade from the top of the protected slope and re-graded to less than 15 feet in vertical rise so that relief of the protected slope would be less than 15 feet high (Exhibit 13). Therefore, a condition of approval requires the applicant to formally apply for a critical areas variance from RMC 4-3-050 in order to encroach into the protected critical slope or apply for a modification to alter the geologically hazardous critical area in accordance with RMC 4-3-050J prior to civil construction permit approval.

The recommendations of the applicant's geotechnical report adequately protect against erosion impacts and are made a condition of approval. The geotechnical report recommends that no permanent slopes be steeper than 2H:1V and all permanent cut slopes and fill slopes should be adequately inclined to reduce long-term raveling, sloughing, and erosion. The use of flatter slopes (such as 2½H:1V) would further reduce long-term erosion and facilitate revegetation. Additionally, the geotechnical report includes specific recommendations for site preparation, spread footings, slab-on-grade floors, asphalt pavement, and structural fill.

B. Tree Retention. The proposal provides for adequate preservation of trees because it is consistent with the City's tree retention standards. The City's tree retention standards require the retention of 20 percent of trees in a residential development. As outlined in the applicant's arborist report, Ex. 12, the subject property contains 16 significant trees, with the predominant species being cottonwood. Of the 16 significant trees within the project area, the applicant is proposing to retain 5 trees to meet the 20% tree retention requirement (Exhibits 8, 9 and 12).



1  
2 C. Compatibility. The proposed new construction and frontage improvements will be  
3 compatible with the existing surrounding uses. The subject property abuts the RMF zone to  
4 the north and single-family residential to the south and west. Single family residential  
5 zoning is also across Sunset Blvd NE to the east. Buildings are setback appropriately from  
6 abutting developed properties. To the north, a multifamily development and single-family  
7 residential home are buffered by the developments open space and recreation area and  
landscaped building setback area. The south and west properties are zoned single-family  
residential. However, they are owned and operated by Puget Sound Energy and are burdened  
with overhead power lines and utility easements, reducing the likelihood the properties  
would be developed in the future.

8 Interior design is coordinated and aesthetic, thereby further enhancing compatibility with  
9 the surrounding residential neighborhood. The proposed buildings have been designed in a  
10 coordinated fashion, utilizing a consistent set of materials. The similar exterior components  
11 and roof profiles across all buildings helps to establish a cohesive development design.  
Differentiation throughout the design is provided with the use of different materials and  
colors. The applicant is proposing the use of fiber cement board, stained cedar, aluminum,  
and steel.

12 Buildings along Sunset Blvd NE are oriented to the street and contain pedestrian only  
13 amenities as the buildings are rear vehicle loaded. Stoops and landscaped front yards are  
14 provided along the street. Buildings along the private alley/woonerf are oriented to the alley  
and take advantage of the pedestrian friendly space.

15 D. Glare. As conditioned, the proposal will not adversely affect adjoining properties with  
16 excess glare. A lighting plan was not submitted with the application package; therefore, a  
17 condition of approval requires the applicant to provide a lighting plan that includes a  
18 photometric calculation of average foot candles that adequately provides for public safety  
without casting excessive glare on adjacent properties. Pedestrian scale and downlighting  
shall be used in all cases to assure safe pedestrian and vehicular movement.

19 6. Superiority in Design. As conditioned, the PUD results in a superior design than what would  
20 result by the strict application of the City's development standards. The proposal develops three (3)  
21 contiguous properties simultaneously into one (1) unified development that incorporates enhanced open  
22 space and recreation opportunities, unique alley design, and street presence that would not otherwise  
be possible if each property were developed individually or in phases.

23 7. Public Benefit. The proposal provides for numerous public benefits as outlined at pages 13-17  
24 of the Staff Report. The applicant is proposing to utilize the BuiltGreen sustainable rating system to  
25 minimize the environmental impact of the development. Site infrastructure, such as storm drainage,  
26 would be designed in accordance with Low Impact Development principles. As previously noted, the  
applicant proposes a significant amount of open space. Without the use of the proposed PUD, no shared  
open space would be required by City regulations and if each of the three (3) parcels were developed

1 separately, there would likely have been no additional land area to provide any active recreation areas  
2 and open spaces would have been limited to required perimeter landscaping.

3 The proposed internal street system includes a private alley that is referred to as a woonerf or “living  
4 street.” Woonerfs are a common street treatment that is used in European cities that are intended to  
5 provide an equally shared space between pedestrians and vehicles. These streets are narrower than the  
6 typical street section and often contain planter landscaping, pedestrian lighting, and alternative paving  
7 materials. Also, typical with woonerfs is the absence of curbs as to further solidify the mixing of  
8 pedestrian space and vehicle space. The proposed private alley/woonerf provides residents an attractive  
9 and unique amenity that also doubles as an active recreation and gathering area. Opportunities for  
10 neighbors to interact on the street can assist in creating a pride of ownership in their community.  
11 Without the use of a PUD, the street would have likely been designed as a public limited residential  
12 access street with a 45-foot ROW width. Required public street improvements would have resulted in  
13 fewer opportunities for common open spaces and the loss of a unique design aesthetic. The proposal  
14 provides for a coordinated, attractive building design and also provides for significant buffering to  
15 neighboring properties via open space and landscaping.

## 16 CONCLUSIONS OF LAW

### 17 Procedural:

18 1. Authority. RMC 4-9-150(F)(8) authorizes the hearing examiner to conduct hearings and make  
19 final decisions on planned urban development applications. RMC 4-7-020(C) and 4-7-050(D)(5)  
20 provide that the hearing examiner shall hold a hearing and issue a final decision on preliminary plat  
21 applications.

### 22 Substantive:

23 2. Zoning/Comprehensive Plan Designations. The project site is zoned Residential Multi-Family  
24 (RMF) and has a comprehensive plan land use designation of Residential High Density.

25 3. Review Criteria. A PUD may be pursued by “any applicant” as authorized by RMC 4-9-150(B),  
26 which is interpreted to authorize the application of PUD regulations to preliminary plat applications.  
Chapter 4-7 RMC governs the criteria for subdivision review and RMC 4-9-150 governs PUD criteria.  
Applicable criteria are quoted below in italics and applied through corresponding conclusions of law.

## 27 PUD STANDARDS

### 28 RMC 4-9-150(B)(2): *Code Provisions That May Be Modified:*

29 *a. In approving a planned urban development, the City may modify any of the standards of*  
30 *chapter 4-2 RMC, chapter 4-4 RMC, RMC 4-6-060 and chapter 4-7 RMC, except as listed in*

subsection B3 of this Section. All modifications shall be considered simultaneously as part of the planned urban development...

4. As shown in Finding of Fact No. 3, the requested revisions are limited to the regulations identified in the regulation quoted above.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

*1. Demonstration of Compliance and Superiority Required: Applicants must demonstrate that a proposed development is in compliance with the purposes of this Section and with the Comprehensive Plan, that the proposed development will be superior to that which would result without a planned urban development, and that the development will not be unduly detrimental to surrounding properties.*

5. The criterion is met. The purposes of the PUD regulations, as outlined in RMC 4-9-150(A), are to preserve and protect the natural features of the land and to encourage innovation and creativity in development of residential uses. As outlined in Finding of Fact No. 4 and 5 the natural features of the site are preserved by tree retention and open space that exceeds applicable standards. As determined in Finding of Fact No. 6, the proposal is superior in design to that which would result without a planned urban development. As determined in Finding of Fact No. 4 and 5 the project will not create any significant adverse impacts and provides for and/or is served by adequate infrastructure so it would not be unduly detrimental to surrounding properties.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

*2. Public Benefit Required: In addition, Applicants shall demonstrate that a proposed development will provide specifically identified benefits that clearly outweigh any adverse impacts or undesirable effects of the proposed planned urban development, particularly those adverse and undesirable impacts to surrounding properties, and that the proposed development will provide one or more of the following benefits than would result from the development of the subject site without the proposed planned urban development:*

....

*c. Public Facilities: Provides public facilities that could not be required by the City for development of the subject property without a planned urban development.*

...

*e. Overall Design: Provides a planned urban development design that is superior to the design that would result from development of the subject property without a planned urban development. A superior design may include the following: ...*

1  
2 6. The proposal provides for public benefit for the elements quoted above as determined in Finding  
of Fact No. 7.

3 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
4 *following requirements are met.*

5 ...

6 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed*  
7 *for consistency with all of the following criteria:*

8 a. *Building and Site Design:*

9 i. *Perimeter: Size, scale, mass, character and architectural design along the*  
10 *planned urban development perimeter provide a suitable transition to adjacent*  
11 *or abutting lower density/intensity zones. Materials shall reduce the potential*  
*for light and glare.*

12 7. The criterion is met for the reasons identified at Finding of Fact No. 5(C). A condition of  
13 approval requires the applicant to submit provide a materials board to the Current Planning Project  
Manager to confirm that siding materials are non-reflective to reduce the potential for light and glare.

14 **RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
15 *following requirements are met.*

16 ...

17 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed*  
18 *for consistency with all of the following criteria:*

19 a. *Building and Site Design:*

20 ...

21 ii. *Interior Design: Promotes a coordinated site and building design. Buildings*  
22 *in groups should be related by coordinated materials and roof styles, but*  
23 *contrast should be provided throughout a site by the use of varied materials,*  
24 *architectural detailing, building orientation or housing type; e.g., single family,*  
25 *townhouses, flats, etc.*

26 8. The criterion is met for the reasons identified in Finding of Fact No. 5(C).

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the*  
*following requirements are met.*

...

1        *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed*  
2        *for consistency with all of the following criteria*

3        ...

4                *b. Circulation:*

5                        *i. Provides sufficient streets and pedestrian facilities. The planned urban*  
6                        *development shall have sufficient pedestrian and vehicle access commensurate*  
7                        *with the location, size and density of the proposed development. All public and*  
8                        *private streets shall accommodate emergency vehicle access and the traffic*  
9                        *demand created by the development as documented in a traffic and circulation*  
10                        *report approved by the City. Vehicle access shall not be unduly detrimental to*  
11                        *adjacent areas.*

12        9.        The proposal provides for adequate streets and pedestrian facilities as determined in Finding of  
13        Fact No. 4.

14        **RMC 4-9-150(D):**    *The City may approve a planned urban development only if it finds that the*  
15        *following requirements are met.*

16        ...

17        *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for*  
18        *consistency with all of the following criteria*

19        ...

20                *b. Circulation:*

21        ...

22                        *ii. Promotes safety through sufficient sight distance, separation of vehicles from*  
23                        *pedestrians, limited driveways on busy streets, avoidance of difficult turning*  
24                        *patterns, and minimization of steep gradients.*

25        10.        The proposal meets this requirement as determined in Finding of Fact No. 4. The woonerf  
26        encourages the mixing of vehicles and pedestrians, but public works staff have not found this to be a  
27        safety concern.

28        **RMC 4-9-150(D):**    *The City may approve a planned urban development only if it finds that the*  
29        *following requirements are met.*

30        ...

31        *3. Additional Review Criteria: A proposed planned urban development shall also be reviewed*  
32        *for consistency with all of the following criteria*

33        ...

34                *b. Circulation:*

35        ...

36                        *iii. Provision of a system of walkways which tie residential areas to recreational*  
37                        *areas, transit, public walkways, schools, and commercial activities.*

11. As noted in Finding of Fact No. 4, as conditioned the proposal provides for a well-integrated system of internal pedestrian improvements that ultimately connect to required frontage pedestrian improvements on Sunset Boulevard NE. Beyond this, nothing more can be reasonably or legally required of the applicant to connect to surrounding amenities.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

*3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria*

...

*b. Circulation:*

...

*iv. Provides safe, efficient access for emergency vehicles.*

12. The proposal provides for safe and efficient access for emergency vehicles as determined in Finding of Fact No. 4.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

*3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria*

*c. Infrastructure and Services: Provides utility services, emergency services, and other improvements, existing and proposed, which are sufficient to serve the development.*

13. As determined in Finding of Fact No. 4, the proposal is served by sufficient public infrastructure and services to serve the development.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

*3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria*

...

*d. Clusters or Building Groups and Open Space: An appearance of openness created by clustering, separation of building groups, and through the use of well-designed open space and landscaping, or a reduction in amount of impervious surfaces not otherwise required.*

14. The proposed development separates the 15 dwelling units into four (4) separate buildings that are linked together by the private alley/woonerf internal street. This unique street and its narrow width provides an ability to maximize space on the property and accommodate active and passive common open space. The reduced street width, permeable pavers, and abundant open space limit the amounts of impervious surfaces that would otherwise be utilized if the site were developed to code standards.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

*3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria*

...

*e. Privacy and Building Separation: Provides internal privacy between dwelling units, and external privacy for adjacent dwelling units. Each residential or mixed use development shall provide visual and acoustical privacy for dwelling units and surrounding properties. Fences, insulation, walks, barriers, and landscaping are used, as appropriate, for the protection and aesthetic enhancement of the property, the privacy of site occupants and surrounding properties, and for screening of storage, mechanical or other appropriate areas, and for the reduction of noise. Windows are placed at such a height or location or screened to provide sufficient privacy. Sufficient light and air are provided to each dwelling unit.*

15. Perimeter planting provides a buffer and privacy screen between the proposed project and existing development surrounding the site. Internal to the site, where structures face each other, windows would not align to ensure privacy. The proposed development would be designed to building code standards for multi-family construction. Each residential unit would have a separate exterior entrance with insulated walls separating the units. All residential units would have access to light and air, as each structure contains windows. The placement of the buildings, oriented to open space, provides separation and privacy for the residents while maintaining a communal atmosphere.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

...

*3. Additional Review Criteria: A proposed planned urban development shall also be reviewed for consistency with all of the following criteria*

...

*f. Building Orientation: Provides buildings oriented to enhance views from within the site by taking advantage of topography, building location and style.*

16. The topography of the site steps down from east to west with territorial views of the west. The applicant has oriented the buildings east/west to take advantage of the topography and providing direct views to the west.

**RMC 4-9-150(D):** *The City may approve a planned urban development only if it finds that the following requirements are met.*

1  
2 ... 3. *Additional Review Criteria: A proposed planned urban development shall also be reviewed*  
3 *for consistency with all of the following criteria*

4 ...  
5 *g. Parking Area Design: Provides parking areas that are complemented by landscaping*  
6 *and not designed in long rows. The size of parking areas is minimized in comparison to*  
7 *typical designs, and each area related to the group of buildings served. The design*  
8 *provides for efficient use of parking, and shared parking facilities where appropriate.*

9  
10 17. Nearly all the parking will be located within individual garages for each unit. One surface  
11 parking space would be provided on the north portion of the property for guest parking. The parking  
12 space would be surfaced with the woonerf paver material and hidden from view by topography and the  
13 location of the buildings.

14 **RMC 4-9-150(D)(4):** *Each planned urban development shall demonstrate compliance with the*  
15 *development standards contained in subsection E of this Section, the underlying zone, and any overlay*  
16 *districts; unless a modification for a specific development standard has been requested pursuant to*  
17 *subsection B2 of this Section.*

18 18. As discussed below, the proposal complies with all development standards imposed by RMC  
19 4-9-150(E). The proposal is compliant with the standards of the underlying RMF zone for the reasons  
20 identified in Finding of Fact No. 22 of the Staff Report. As a project located in the RMF zone, the  
21 project is in the District B design district as regulated by RMC 4-3-100. For the reasons identified in  
22 Finding of Fact No. 28 of the Staff Report, the proposal is consistent with all District B design  
23 standards.

24 **RMC 4-9-150(E)(1):** *Common Open Space Standard: Open space shall be concentrated in large*  
25 *usable areas and may be designed to provide either active or passive recreation. Requirements for*  
26 *residential, mixed use, commercial, and industrial developments are described below.*

*a<sup>1</sup>. Residential: For residential developments open space must equal at least ten percent (10%)*  
*of the development site's gross land area.*

*i. Open space may include, but is not limited to, the following:*

24  
25 <sup>1</sup> The Staff Report concludes at page 21 that only 750 square feet is required for the proposal. This is apparently based  
26 upon the application of RMC 4-9-150(E)(1)(b) to the proposal. However, RMC 4-9-150(E)(1)(b) only applies to mixed  
use developments. Since the proposal is exclusively a residential development, RMC -9-150(E)(1)(a) applies to it and  
required a minimum of 4,670 square feet of open space.



1 (a) A trail that allows opportunity for passive recreation within a critical area  
2 buffer (only the square footage of the trail shall be included in the open space  
3 area calculation), or

4 (b) A sidewalk and its associated landscape strip, when abutting the edge of a  
5 critical area buffer and when a part of a new public or private road, or

6 (c) A similar proposal as approved by the reviewing official.

7 ii. Additionally, a minimum area equal to fifty (50) square feet per unit of common space  
8 or recreation area shall be provided in a concentrated space as illustrated in Figure 1.

9 19. The Staff Report notes that the project site is 0.9 acres in size. 10% of such an area would be  
10 3,920 square feet of open spaces. Additional open space at 50 square feet per dwelling unit is also  
11 required, for total required open space of 4,670 square feet. The applicant proposes 5,881 square feet  
12 of open space, which clearly exceeds minimum requirements. More than 750 square feet of that open  
13 space is concentrated on the northwest side of the project site, as required by RMC 4-9-150(E)(1)(c)(ii).

14 **RMC 4-9-150(E)(2):** *Private Open Space: Each residential unit in a planned urban development*  
15 *shall have usable private open space (in addition to parking, storage space, lobbies, and corridors) for*  
16 *the exclusive use of the occupants of that unit. Each ground floor unit, whether attached or detached,*  
17 *shall have private open space which is contiguous to the unit. The private open space shall be well*  
18 *demarcated and at least fifteen feet (15') in every dimension (decks on upper floors can substitute for*  
19 *the required private open space). For dwelling units which are exclusively upper story units, there shall*  
20 *be deck areas totaling at least sixty (60) square feet in size with no dimension less than five feet (5').*

21 20. In Ex. 28, the applicant proposes a compliance strategy for RMC 4-9-150(E)(2) that is unique.  
22 Given that PUDs encourage flexibility, the applicant's creative approach is found to be comply with  
23 the private open space requirements of RMC 4-9-150(E)(2). For some units, the applicant proposes to  
24 comply with the 225-foot ground floor requirement by transferring some of the required square feet to  
25 upper deck space. That is clearly authorized by RMC 4-9-150(E)(2) and is found compliant. The  
26 applicant also proposes to have some units that have the ground floor composed exclusively of garage  
space to be treated as "upper story units" for purposes of private open space requirements. That is a  
little more problematical, since those units would not be commonly understood to be upper story units.  
However, from the standpoint of open space usage and accessibility, there is no meaningful difference  
between a ground floor unit with first story parking garage and an upper story unit with detached garage  
space. For that reason, the applicant can treat units with ground floor garage space as upper story units  
for purposes of RMC 4-9-150(E)(2). Finally, the applicant also proposes to use some woonerf space  
to count towards the private open space of one unit by dedicating a planter in the woonerf to the unit to  
be used as a flower or vegetable garden. As Staff has found this to be an acceptable use of woonerf  
space, the proposed planter will also be allowed to count towards required private open space.

**RMC 4-9-150(E)(3): Installation and Maintenance of Common Open Space:**

*a. Installation: All common area and open space shall be landscaped in accordance with the landscaping plan submitted by the Applicants and approved by the City; provided, that common open space containing natural features worthy of preservation may be left unimproved. Prior to the issuance of any occupancy permit, the developer shall furnish a security device to the City in an amount equal to the provisions of RMC 4-9-060. Landscaping shall be planted within one year of the date of final approval of the planned urban development, and maintained for a period of two (2) years thereafter prior to the release of the security device. A security device for providing maintenance of landscaping may be waived if a landscaping maintenance contract with a reputable landscaping firm licensed to do business in the City of Renton is executed and kept active for a two (2) year period. A copy of such contract shall be kept on file with the Development Services Division.*

*b. Maintenance: Landscaping shall be maintained pursuant to requirements of RMC 4-4-070.*

21. As Conditioned.

**RMC 4-9-150(E)(4): Installation and Maintenance of Common Facilities:**

*a. Installation: Prior to the issuance of any occupancy permits, all common facilities, including but not limited to utilities, storm drainage, streets, recreation facilities, etc., shall be completed by the developer or, if deferred by the Planning/Building/Public Works Administrator or his/her designee, assured through a security device to the City equal to the provisions of RMC 4-9-060...*

22. As Conditioned.

**RMC 4-9-150(E)(4): Installation and Maintenance of Common Facilities:**

...

*b. Maintenance: All common facilities not dedicated to the City shall be permanently maintained by the planned urban development owner, if there is only one owner, or by the property owners' association, or the agent(s) thereof. In the event that such facilities are not maintained in a responsible manner, as determined by the City, the City shall have the right to provide for the maintenance thereof and bill the owner or property owners' association accordingly. Such bill, if unpaid, shall become a lien against each individual property.*

23. As conditioned.

**SUBDIVISION STANDARDS**

1 **RMC 4-7-080(B):** *A subdivision shall be consistent with the following principles of acceptability:*

2 *1. Legal Lots: Create legal building sites which comply with all provisions of the City Zoning*  
3 *Code.*

4 *2. Access: Establish access to a public road for each segregated parcel.*

5 *3. Physical Characteristics: Have suitable physical characteristics. A proposed plat may be*  
6 *denied because of flood, inundation, or wetland Conditions. Construction of protective*  
7 *improvements may be required as a Condition of approval, and such improvements shall be*  
8 *noted on the final plat.*

9 *4. Drainage: Make adequate provision for drainage ways, streets, alleys, other public ways,*  
10 *water supplies and sanitary wastes.*

11 24. As modified by the PUD regulations, the lots will comply with all requirements of the Zoning  
12 Code. As shown in the site plan, Ex. 4, all lots have access to Sunset Blvd. NE, a public road, via a  
13 woonerf. The project is not located within a floodplain and there are no wetlands or streams impacted.  
14 As determined in Finding of Fact No. 4, the project makes adequate provision for drainage ways,  
15 streets, alleys, other public ways, water supplies and sanitary wastes.

16 **RMC 4-7-080(I)(1):** *...The Hearing Examiner shall assure conformance with the general purposes*  
17 *of the Comprehensive Plan and adopted standards...*

18 25. The proposed preliminary plat is consistent with the Renton Comprehensive Plan as outlined in  
19 Finding 21 of the Staff Report.

20 **RMC 4-7-120(A):** *No plan for the replatting, subdivision, or dedication of any areas shall be approved*  
21 *by the Hearing Examiner unless the streets shown therein are connected by surfaced road or street*  
22 *(according to City specifications) to an existing street or highway.*

23 26. The internal woonerf/private alley connects to Sunset Blvd NE, an existing public street. As  
24 modified by the PUD, the woonerf/private alley is consistent with City standards.

25 **RMC 4-7-120(B):** *The location of all streets shall conform to any adopted plans for streets in the City.*

26 27. The criterion is met. The Staff Report and administrative record do not identify any applicable  
street plan or grid system that would compel the connection of the interior streets to any other roads  
beyond Sunset Blvd NE. The aerial photo on page 1 of the Staff Report shows that there are no other  
roads in proximity to the project that could be feasibly extended to the project.

**RMC 4-7-120(C):** *If a subdivision is located in the area of an officially designed trail, provisions shall*  
*be made for reservation of the right-of-way or for easements to the City for trail purposes.*

28. The criterion is met. The Staff Report and administrative record do not identify any officially designated trail in the vicinity and no trail is visible in the vicinity of the proposal in the aerial map on page 1 of the Staff Report.

**RMC 4-7-130(C):** *A plat, short plat, subdivision or dedication shall be prepared in conformance with the following provisions:*

*1. Land Unsuitable for Subdivision: Land which is found to be unsuitable for subdivision includes land with features likely to be harmful to the safety and general health of the future residents (such as lands adversely affected by flooding, steep slopes, or rock formations). Land which the Department or the Hearing Examiner considers inappropriate for subdivision shall not be subdivided unless adequate safeguards are provided against these adverse Conditions.*

*a. Flooding/Inundation: If any portion of the land within the boundary of a preliminary plat is subject to flooding or inundation, that portion of the subdivision must have the approval of the State according to chapter 86.16 RCW before the Department and the Hearing Examiner shall consider such subdivision.*

*b. Steep Slopes: A plat, short plat, subdivision or dedication which would result in the creation of a lot or lots that primarily have slopes forty percent (40%) or greater as measured per RMC 4-3-050J1a, without adequate area at lesser slopes upon which development may occur, shall not be approved.*

...

*3. Land Clearing and Tree Retention: Shall comply with RMC 4-4-130, Tree Retention and Land Clearing Regulations.*

29. As noted in Finding of Fact No. 5, there are no critical areas at the project site except for an erosion/slope hazard, which has been fully addressed and mitigated in the applicant's geotechnical report as further discussed in Finding of Fact No. 5. As further determined in Finding of Fact No. 5, the proposal complies with the City's tree retention standards. Given these factors, as mitigated by the recommendations in the geotechnical report, the project area is suitable for subdivision as required by RMC 4-7-130(C).

**RMC 4-7-140:** *Approval of all subdivisions located in either single family residential or multi-family residential zones as defined in the Zoning Code shall be contingent upon the subdivider's dedication of land or providing fees in lieu of dedication to the City, all as necessary to mitigate the adverse effects of development upon the existing park and recreation service levels. The requirements and procedures for this mitigation shall be per the City of Renton Parks Mitigation Resolution.*

30. As outlined in Finding of Fact No. 4, the proposal satisfies park requirements by the payment of park impact fees and exceeds open space requirements.

**RMC 4-7-150(A):** *The proposed street system shall extend and create connections between existing streets unless otherwise approved by the Public Works Department. Prior to approving a street system that does not extend or connect, the Reviewing Official shall find that such exception shall meet the requirements of subsection E3 of this Section. The roadway classifications shall be as defined and designated by the Department.*

31. As discussed in Conclusion of Law No. 27, the only street that the project could connect to is Sunset Blvd NE.

**RMC 4-7-150(B):** *All proposed street names shall be approved by the City.*

32. As conditioned.

**RMC 4-7-150(C):** *Streets intersecting with existing or proposed public highways, major or secondary arterials shall be held to a minimum.*

33. Sunset Blvd NE. is classified as a minor arterial, but the project would be landlocked if it could not directly access this road so there is no other alternative. The criterion is met.

**RMC 4-7-150(D):** *The alignment of all streets shall be reviewed and approved by the Public Works Department. The street standards set by RMC 4-6-060 shall apply unless otherwise approved. Street alignment offsets of less than one hundred twenty-five feet (125') are not desirable, but may be approved by the Department upon a showing of need but only after provision of all necessary safety measures.*

34. The criterion is met. Public works staff has reviewed the street alignment and consistency with RMC 4-6-060 and recommends approval of the PUD. The project does not include a street alignment offset of more than 125 feet.

**RMC 4-7-150(E):**

*1. Grid: A grid street pattern shall be used to connect existing and new development and shall be the predominant street pattern in any subdivision permitted by this Section.*

*2. Linkages: Linkages, including streets, sidewalks, pedestrian or bike paths, shall be provided within and between neighborhoods when they can create a continuous and interconnected network of roads and pathways. Implementation of this requirement shall comply with Comprehensive Plan Transportation Element Objective T-A and Policies T-9 through T-16 and Community Design Element, Objective CD-M and Policies CD-50 and CD-60.*

*3. Exceptions:*

1           *a. The grid pattern may be adjusted to a “flexible grid” by reducing the number of*  
2           *linkages or the alignment between roads, where the following factors are present on*  
3           *site:*

4                     *i. Infeasible due to topographical/environmental constraints; and/or*

5                     *ii. Substantial improvements are existing.*

6           *4. Connections: Prior to adoption of a complete grid street plan, reasonable connections that*  
7           *link existing portions of the grid system shall be made. At a minimum, stub streets shall be*  
8           *required within subdivisions to allow future connectivity.*

9           *5. Alley Access: Alley access is the preferred street pattern except for properties in the*  
10           *Residential Low Density land use designation. The Residential Low Density land use*  
11           *designation includes the RC, R-1, and R-4 zones. Prior to approval of a plat without alley*  
12           *access, the Reviewing Official shall evaluate an alley layout and determine that the use of*  
13           *alley(s) is not feasible...*

14           *6. Alternative Configurations: Offset or loop roads are the preferred alternative configurations.*

15           *7. Cul-de-Sac Streets: Cul-de-sac streets may only be permitted by the Reviewing Official where*  
16           *due to demonstrable physical constraints no future connection to a larger street pattern is*  
17           *physically possible.*

18           35.     The criterion is met. As discussed in Conclusion of Law No. 27 there are no roads other than  
19           Sunset Blvd NE with which the project could connect. A grid pattern connecting to other roads is not  
20           possible because intervening lots are developed or are unlikely to be developed because of power lines  
21           and utility easements.

22           **RMC 4-7-150(F):** *All adjacent rights-of-way and new rights-of-way dedicated as part of the plat,*  
23           *including streets, roads, and alleys, shall be graded to their full width and the pavement and sidewalks*  
24           *shall be constructed as specified in the street standards or deferred by the Planning/Building/Public*  
25           *Works Administrator or his/her designee.*

26           36.     The only new right of way that will be dedicated to the City is added right of way for Sunset  
              Blvd NE for required street frontage improvements. Required improvements will be paved to the full  
              width required for the applicant’s half of the street pursuant to applicable City standards.

**RMC 4-7-150(G):** *Streets that may be extended in the event of future adjacent platting shall be*  
              *required to be dedicated to the plat boundary line. Extensions of greater depth than an average lot*  
              *shall be improved with temporary turnarounds. Dedication of a full-width boundary street shall be*  
              *required in certain instances to facilitate future development.*

37. As discussed in Conclusion of Law No. 35 there are no feasible or legal street connections that can be required other than to Sunset Blvd NE.

**4-7-160(A):** *Blocks shall be deep enough to allow two (2) tiers of lots, except where:*

*1. Abutting principal arterials defined in the Transportation Element of the Comprehensive Plan.*

*2. The location and extent of environmental constraints prevent a standard plat land configuration, including size and shape of the parcel.*

*3. Prior to approval of single-tier lot configuration based on exceptions 1 and 2, the proponent must demonstrate that a different layout or provisions of an alley system is not feasible.*

38. As noted in the Staff Report, the project site is not wide enough to accommodate a two-tiered lot configuration. The width limitations of the lot are construed as an “environmental constraint” that qualifies the project as exempt from the two-tier requirement under RMC 4-7-160(A)(2). Although the shape of a lot is typically not considered to be an “environmental constraint”, the reference to “size and shape” within RMC 4-7-160(A)(2) establish an intent to broadly construe the term. Further, it is reasonable to conclude that the City Council must have recognized that not all lots are shaped for two-tiered subdivisions and that it would be a waste of resources to require an applicant to go through a variance process in such instances.

**4-7-160(B):** *Where circumstances warrant, the Reviewing Official may require one or more public crosswalks or walkways of not less than six feet (6') in width dedicated to the City to extend entirely across the width of the block at locations deemed necessary. Such crosswalks or walkways shall be paved for their entire width and length with a permanent surface and shall be adequately lighted at the developer's cost.*

39. It's not entirely clear from the site plans whether or where any crosswalks will be located. It's likely that the issue will be addressed during final engineering, but since cross-walks are one of the standards imposed by the subdivision code (as opposed to street design standards or the like), the conditions of approval will require that the applicant install cross-walks as determined by public works to be necessary for public safety and compliance with City development standards. It is recognized that the woonerf is designed to allow pedestrian access in all areas, but it is not clear from the record whether a cross walk would be necessary to cross Sunset Blvd NE.

**RMC 4-7-170(A):** *Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines.*

40. As depicted in Ex. 4, the side lines are in conformance with the requirement quoted above.

1 **RMC 4-7-170(B):** *Each lot must have access to a public street or road. Access may be by private*  
2 *access easement street per the requirements of the street standards.*

3 41. Each lot will have access to Sunset Blvd NE via the private internal roads.

4 **RMC 4-7-170(C):** *The size, shape, and orientation of lots shall meet the minimum area and width*  
5 *requirements of the applicable zoning classification and shall be appropriate for the type of*  
6 *development and use contemplated. Further subdivision of lots within a plat approved through the*  
7 *provisions of this Chapter must be consistent with the then-current applicable maximum density*  
8 *requirement as measured within the plat as a whole.*

9 42. As previously noted, as modified by this PUD decision the proposal meets all applicable lot and  
10 density standards.

11 **RMC 4-7-170(D):** *Width between side lot lines at their foremost points (i.e., the points where the side*  
12 *lot lines intersect with the street right-of-way line) shall not be less than eighty percent (80%) of the*  
13 *required lot width except in the cases of (1) pipestem lots, which shall have a minimum width of twenty*  
14 *feet (20') and (2) lots on a street curve or the turning circle of cul-de-sac (radial lots), which shall be*  
15 *a minimum of thirty-five feet (35').*

16 43. All proposed lots are rectangular with uniform lot widths that comply with the lots widths  
17 approved through this PUD decision.

18 **RMC 4-7-170(E):** *All lot corners at intersections of dedicated public rights-of-way, except alleys,*  
19 *shall have minimum radius of fifteen feet (15').*

20 44. As Conditioned.

21 **RMC 4-7-190(A):** *Easements may be required for the maintenance and operation of utilities as*  
22 *specified by the Department.*

23 45. As conditioned.

24 **RMC 4-7-190(A):** *Due regard shall be shown to all natural features such as large trees, watercourses,*  
25 *and similar community assets. Such natural features should be preserved, thereby adding attractiveness*  
26 *and value to the property.*

46. The only natural features that need to be preserved are significant trees, which the applicant has  
done beyond the requirements of the City's tree retention regulations as determined in Finding of Fact  
No. 5.

**RMC 4-7-200(A):** *Unless septic tanks are specifically approved by the Public Works Department and*  
*the King County Health Department, sanitary sewers shall be provided by the developer at no cost to*



1 *the City and designed in accordance with City standards. Side sewer lines shall be installed eight feet*  
2 *(8') into each lot if sanitary sewer mains are available, or provided with the subdivision development.*

3 47. As Conditioned.

4 **RMC 4-7-200(B):** *An adequate drainage system shall be provided for the proper drainage of all*  
5 *surface water. Cross drains shall be provided to accommodate all natural water flow and shall be of*  
6 *sufficient length to permit full-width roadway and required slopes. The drainage system shall be*  
7 *designed per the requirements of RMC 4-6-030, Drainage (Surface Water) Standards. The drainage*  
8 *system shall include detention capacity for the new street areas. Residential plats shall also include*  
9 *detention capacity for future development of the lots. Water quality features shall also be designed to*  
10 *provide capacity for the new street paving for the plat.*

11 48. The proposal will be designed to meet all City drainage standards including those above as  
12 outlined in Finding of Fact No. 4.

13 **RMC 4-7-200(C):** *The water distribution system including the locations of fire hydrants shall be*  
14 *designed and installed in accordance with City standards as defined by the Department and Fire*  
15 *Department requirements.*

16 49. As outlined in the Staff Report, fire hydrants have already been reviewed by the Fire  
17 Department. Conformance to city standards shall be assured during final engineering review.

18 **RMC 4-7-200(D):** *All utilities designed to serve the subdivision shall be placed underground. Any*  
19 *utilities installed in the parking strip shall be placed in such a manner and depth to permit the planting*  
20 *of trees. Those utilities to be located beneath paved surfaces shall be installed, including all service*  
21 *connections, as approved by the Department. Such installation shall be completed and approved prior*  
22 *to the application of any surface material. Easements may be required for the maintenance and*  
23 *operation of utilities as specified by the Department.*

24 50. As Conditioned.

25 **RMC 4-7-200(E):** *Any cable TV conduits shall be undergrounded at the same time as other basic*  
26 *utilities are installed to serve each lot. Conduit for service connections shall be laid to each lot line by*  
27 *subdivider as to obviate the necessity for disturbing the street area, including sidewalks, or alley*  
28 *improvements when such service connections are extended to serve any building. The cost of trenching,*  
29 *conduit, pedestals and/or vaults and laterals as well as easements therefore required to bring service*  
30 *to the development shall be borne by the developer and/or land owner. The subdivider shall be*  
31 *responsible only for conduit to serve his development. Conduit ends shall be elbowed to final ground*  
32 *elevation and capped. The cable TV company shall provide maps and specifications to the subdivider*  
33 *and shall inspect the conduit and certify to the City that it is properly installed.*

51. As Conditioned.

**RMC 4-7-210:**

*A. MONUMENTS:*

*Concrete permanent control monuments shall be established at each and every controlling corner of the subdivision. Interior monuments shall be located as determined by the Department. All surveys shall be per the City of Renton surveying standards.*

*B. SURVEY:*

*All other lot corners shall be marked per the City surveying standards.*

*C. STREET SIGNS:*

*The subdivider shall install all street name signs necessary in the subdivision.*

52. As Conditioned.

**DECISION**

The proposed preliminary plat and PUD meets all applicable criteria quoted in this decision and for that reason is APPROVED subject to the following conditions of approval below. The PUD modifications identified in Finding of Fact No. 3 are also approved.

1. The applicant shall comply with the mitigation measures issued as part of the Determination of Non-Significance Mitigated, dated February 27, 2017.
2. The applicant shall submit revised elevation plans with the building permit application that verifies compliance with the maximum wall plate height of 42 feet for each of the two westerly buildings and 32 feet for the other buildings. The revised elevation plans shall be reviewed and approved by the Current Planning Project Manager prior to building permit approval.
3. The applicant shall submit a detailed landscape plan that provides the species, quantity, planting notes, and plant spacing that meets the intent of the required visual barriers identified in the landscape code. The plan shall be reviewed and approved by the Current Planning Project Manager prior to building and/or construction permit approval.
4. The applicant shall submit revised plans with the building permit application that identifies the location of bicycle parking meeting the standards of RMC 4-4-080F.11. The revised

plans shall be reviewed and approved by the Current Planning Project Manager prior to building permit approval.

5. The applicant shall submit a revised floor plan with the building permit application that identifies adequate space within the garage for refuse and recycling bins that meet the requirements of the City's contracted garbage and recycling hauler. The floor plan shall be reviewed and approved by the Current Planning Project Manager prior to building and permit approval.

6. The applicant shall submit revised grading plan that identifies the top of wall and bottom of wall elevations verifying walls comply with the 6-foot height limitation. Additionally, the plans shall contain a cut-sheet of wall materials that are to be composed of brick, rock, textured or patterned concrete, or other material approved by the Current Planning Project Manager. The revised grading plan shall be submitted with the construction permit application to be reviewed and approved by the Current Planning Project Manager prior to construction permit approval.

7. The applicant shall submit cut sheets with the landscape plan for the proposed play structure (or other active recreation structure approved by the Current Planning Project Manager), picnic table, and bench. These amenities shall be durable and appropriate for northwest climate. The cut sheets shall be submitted with the construction permit application to be reviewed and approved by the Current Planning Project Manager.

8. The programmed recreation areas (lawn, play area, seating, and pathways) shall be constructed prior to Certificate of Occupancy of the first building.

9. The applicant shall submit a sample of the paver material to be used within the private alley with the construction permit application. The paver material shall have a contrasting color compared with the asphalt surface and be comprised of brick or stone (or similar material as approved by the Current Planning Project Manager), and shall be reviewed and approved by the Current Planning Project Manager prior to construction permit approval.

10. The applicant shall submit cut sheets with the construction permit application for the planter boxes in the private alley. Additional planter boxes may be required depending on space constraints with alley. The cut sheets shall be a component of the detailed landscape plan submitted with the construction permit application to be reviewed and approved by the Current Planning Project Manager.

11. The applicant shall submit a sign package as a component of the private alley/woornerf that compliments the overall development with addresses, building numbers, and wayfinding. The sign package shall be submitted with the construction permit application to be reviewed and approved by the Current Planning Project Manager prior to construction permit approval.

- 1       12.     The applicant shall submit a materials board with the building permit application for review  
2             and approval by the Current Planning Project Manager prior to building permit approval.
- 3       13.     The applicant shall submit a lighting plan that includes a photometric calculation of average  
4             foot-candles that adequately provides for public safety without casting excessive glare on  
5             adjacent properties. Pedestrian scale and downlighting shall be used in all cases to assure  
6             safe pedestrian and vehicular movement. Cut sheets of decorative sconces and other  
7             pedestrian level lighting shall be provided with the plan that compliments to woonerf,  
            common open space, and new residences. The lighting plan shall be submitted with the  
            construction permit application to be reviewed and approved by the Current Planning  
            Project Manager prior to construction permit approval.
- 8       14.     The applicant shall establish a Homeowners Association (HOA) for the development that  
9             would be responsible for all common improvements within Tract A. All common facilities,  
10            not dedicated to the City, shall be permanently maintained by the PUD HOA. The  
11            Covenants, Conditions, and Restrictions (CC&Rs) shall provide that if the HOA fails to  
12            properly maintain the common facilities and integral elements of the City may do so at the  
13            expense of the association. The CC&Rs shall also provide that the provisions pertaining to  
            the obligation to maintain common areas shall not be amended without approval of the City  
            of Renton. The applicant shall provide draft CC&Rs and HOA incorporation documents  
            for review and approval by the Current Planning Project Manager prior to issuance of any  
            occupancy permit.
- 14      15.     The applicant shall submit revised elevations with the building permit application that  
15             clearly identifies compliance with the minimum 4-1/2' wide dimension of the required  
16             weather protection. The revised plan shall be reviewed and approved by the Current  
            Planning Project Manager prior to building permit approval.
- 17      16.     The applicant shall submit a revised landscape plan with the construction permit application  
18             that provides additional planters where adequate space is available along Buildings 3 and  
19             4. The revised landscape plan shall be reviewed and approved by the Current Planning  
            Project Manager prior to construction permit approval.
- 20      17.     The applicant shall submit revised floor plans and site plans the provide specific  
21             calculations and dimensions of the requirement private usable abutting open space that is  
22             compliant with the 100-square foot minimum area per lot or that provide for alternatives to  
23             the 100-square foot requirement as proposed in Ex. 28. The revised plans shall be submitted  
            with the building permit application to be reviewed and approved by the Current Planning  
            Project Manager prior to building permit approval.
- 24      18.     The applicant shall submit revised elevation plans for the unattached elevations for Units  
25             A and B that either provide additional articulation and/or modulation that comply with the  
26             20-foot maximum interval requirement or that provide for features that substitute for  
            modulation as authorized by RMC 4-3-100(E)(5). The revised elevation plans shall be

submitted with the building permit application to be reviewed and approved by the Current Planning Project Manager prior to building permit approval.

19. The applicant shall submit revised elevation plans with the building permit application that provide detail of proposed enhancement techniques for the cast-in-place planters on Buildings 1 and 2. The revised plans shall be reviewed and approved by the Current Planning Project Manager prior to building permit approval.

20. Prior to the issuance of any occupancy permit, the developer shall furnish a security device to the City in an amount equal to the provisions of RMC 4-9-060. Landscaping shall be planted within one year of the date of final approval of the planned urban development, and maintained for a period of two (2) years thereafter prior to the release of the security device. A security device for providing maintenance of landscaping may be waived if a landscaping maintenance contract with a reputable landscaping firm licensed to do business in the City of Renton is executed and kept active for a two (2) year period. A copy of such contract shall be kept on file with the Development Services Division. Landscaping shall be maintained pursuant to requirements of RMC 4-4-070.

21. Prior to the issuance of any occupancy permits, all common facilities, including but not limited to utilities, storm drainage, streets, recreation facilities, etc., shall be completed by the developer or, if deferred by the Planning/Building/Public Works Administrator or his/her designee, assured through a security device to the City equal to the provisions of RMC 4-9-060.

22. Maintenance: All common facilities not dedicated to the City shall be permanently maintained by the planned urban development owner, if there is only one owner, or by the property owners' association, or the agent(s) thereof. In the event that such facilities are not maintained in a responsible manner, as determined by the City, the City shall have the right to provide for the maintenance thereof and bill the owner or property owners' association accordingly. Such bill, if unpaid, shall become a lien against each individual property.


23. All road/woonerf names shall be approved by the City.

24. Sanitary sewers shall be provided by the developer at no cost to the City and designed in accordance with City standards. Side sewer lines shall be installed eight feet (8') into each lot if sanitary sewer mains are available, or provided with the subdivision development.

25. Concrete permanent control monuments shall be established at each and every controlling corner of the subdivision. Interior monuments shall be located as determined by the Department. All surveys shall be per the City of Renton surveying standards. All other lot corners shall be marked per the City surveying standards. The subdivider shall install all street name signs necessary in the subdivision.

- 1 26. Where circumstances warrant, Public Works staff may require one or more public  
2 crosswalks or walkways of not less than six feet (6') in width at locations deemed necessary.
- 3 27. All lot corners at intersections of dedicated public rights-of-way, except alleys, shall have  
4 minimum radius of fifteen feet (15').
- 5 28. All utilities designed to serve the subdivision shall be placed underground. Any utilities  
6 installed in the parking strip shall be placed in such a manner and depth to permit the  
7 planting of trees. Those utilities to be located beneath paved surfaces shall be installed,  
8 including all service connections, as approved by the Public Works Department. Such  
9 installation shall be completed and approved prior to the application of any surface  
10 material. Easements may be required for the maintenance and operation of utilities as  
11 specified by the Public Works Department.
- 12 29. Easements may be required for the maintenance and operation of utilities as specified by  
13 the Public Works Department.

14 Decision issued April 25, 2017.

15   
16 Phil A. Olbrechts

17 Hearing Examiner

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22 ~~DATED this 25th day of April, 2017.~~

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26 City of Renton Hearing Examiner

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**Appeal Right and Valuation Notices**

RMC 4-8-080(G) classifies the application(s) subject to this decision as Type III applications subject to closed record appeal to the City of Renton City Council. Appeals of the hearing examiner's decision must be filed within fourteen (14) calendar days from the date of the decision. A request for reconsideration to the hearing examiner may also be filed within this 14-day appeal period.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.